



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Denial of Verified Claim(s) against the City of Lodi

MEETING DATE: September 1, 2004

PREPARED BY: Risk Management

RECOMMENDED ACTION: To approve by motion action, denial of the following verified Claim filed against the City of Lodi.

- | | |
|--|-----------------------|
| (A) Sherry Klein Successor in Interest to Agnus Klein | DOL: February 5, 2004 |
| (B) Sherry Klein Wrongful Death of Father Howard C. Klein | DOL: February 5, 2004 |
| (C) Sherry Klein Wrongful Death of Mother Agnus B. Klein | DOL: February 5, 2004 |
| (D) Sherry Klein, Executor of Estate of Howard C. Klein,
Successor in Interest to Agnus Klein | DOL: February 5, 2004 |
| (E) Sherry Klein Wrongful Death of Brother Howard Blair Klein | DOL: February 5, 2004 |
| (F) Tim Vallem | DOL: 7/94 to current |

BACKGROUND INFORMATION: Following review of verified claims filed against the City of Lodi, it is recommend the City deny the subject claim(s).

FUNDING: None Required


Kirk Evans, Risk Manager

Attachments

cc: City Attorney

APPROVED:


Janet Keeter

CITY COUNCIL

LARRY HANSEN, Mayor
JOHN BECKMAN
Mayor Pro Tempore
KEITH LAND
EMILY HOWARD
SUSAN HITCHCOCK

CITY OF LODI

CITY HALL
221 WEST PINE STREET, P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
HUMAN RESOURCES: (209) 333-6704
FAX (209) 333-6816

JANET KEETER
Interim City Manager
SUSAN J. BLACKSTON
City Clerk
STEPHEN SCHWABAUER
City Attorney

Notice of Claim Rejection

September 2, 2004

John J. Moreno, Esq.
1451 River Park Drive #145
Sacramento, CA 95815

RE: Claim against the City of Lodi
Claimant: Sherry Klein
Date of Loss: February 5, 2004
Our Claim Number: 919-04

Dear Claimant:

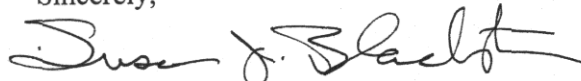
Notice is hereby given that the claim you presented to the City of Lodi on July 21, 2004 was rejected as of the date of this letter.

Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.7 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,


Susan Blackston
City Clerk

cc: City Attorney
DB Claims

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Notice of Claim Rejection

September 2, 2004

John J. Moreno, Esq.
1451 River Park Drive #145
Sacramento, CA 95815

RE: Claim against the City of Lodi
Claimant: Sherry Klein
Date of Loss: February 5, 2004
Our Claim Number: 917-04

Dear Claimant:

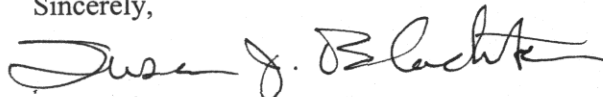
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City Clerk

cc: City Attorney
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Notice of Claim Rejection

September 2, 2004

John J. Moreno, Esq.
1451 River Park Drive #145
Sacramento, CA 95815

RE: Claim against the City of Lodi

Claimant: Sherry Klein, Executor of Estate of Howard C. Klein, Successor in
Interest to Agnus Klein
Date of Loss: February 5, 2004
Our Claim Number: 918-04

Dear Claimant:

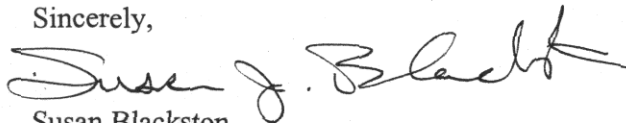
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City Clerk

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DB Claims

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Notice of Claim Rejection

September 2, 2004

John J. Moreno, Esq.
1451 River Park Drive #145
Sacramento, CA 95815

RE: Claim against the City of Lodi

Claimant: Sherry Klein
Date of Loss: February 5, 2004
Our Claim Number: 916-04

Dear Claimant:

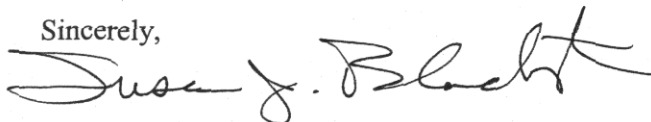
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Notice of Claim Rejection

September 2, 2004

John J. Moreno, Esq.
1451 River Park Drive #145
Sacramento, CA 95815

RE: Claim against the City of Lodi
Claimant: Sherry Klein, Successor In Interest To Agnus Klein
Date of Loss: February 5, 2004
Our Claim Number: 915-04

Dear Claimant:

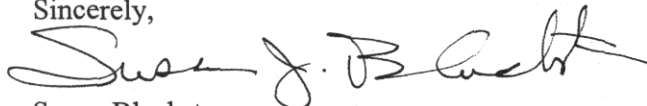
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City Clerk
STEPHEN SCHWABAUER
City Attorney

Notice of Claim Rejection

September 2, 2004

Tim Vallem
Old Town Antiques
121 S. School Street
Lodi, CA 95240

RE: Claim against the City of Lodi
Claimant: Tim Vallem / Old Town Antiques
Date of Loss: July 1994 to Current
Our Claim Number: 910-04

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on July 3, 2004 was rejected as of the date of this letter.

Notice

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Susan Blackston
City Clerk

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